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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/530,248

09/13/2005

Damien Mandy

979-127

2658

39600

7590

03/09/2009

SOFER & HAROUN LLP.

317 MADISON AVENUE, SUITE 910

NEW YORK, NY 10017

EXAMINER

ROBINSON BOYCE, AKIBA K

ART UNIT

PAPER NUMBER

3628

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PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/530,248	<b>Applicant(s)</b> MANDY, DAMIEN	
	<b>Examiner</b> AKIBA K. ROBINSON BOYCE	<b>Art Unit</b> 3628	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 22 December 2008.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-5 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-5 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

## **DETAILED ACTION**

### ***Status of Claims***

1. Due to communications filed 12/22/08, the following is a final office action.  
Claims 1-4 have been amended. Claims 1-5 are pending in this application, have been examined on the merits, and are rejected as follows. The previous rejection has been adjusted to reflect claim amendments.

### ***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1- are rejected under 35 U.S.C. 103(a) as being unpatentable over Anderson et al (US 4,773,020), and further in view of Keech (US 20020029342 A1)

As per claim 1, Anderson et al discloses:

a) providing at least one parking terminal equipped with payment means, (fig 1, shows parking system for parking bikes with coin slots 9, 10 and 11);

c) in the event of a release request from a user, entering the identifier of said immobilizing device, entered by said user, at said parking terminal, (col. 4, lines 13-15, ,  
When the relevant person wishes to pick up his bicycle he simply presses a code into

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keyset [of central processing unit where a control unit resides, in this case the central processing unit represents the parking terminal and the control unit represents the server]);

d) at the parking terminal, setting up a session for payment of the amount corresponding to releasing the vehicle immobilizing device by means of the payment means, and communicating the identifier of said immobilizing device entered at said parking terminal to the server after validation of the payment session, (col. 3, lines 48-63, introduction of coins are utilized for controlling the initiation of the purchase of time [parking time] and col 6, lines 20-26, the display indicates the additional payment required once the initial parking period has been exceeded, said control unit thereby validating the originally generated secret unlocking code which may be utilized once [for unlocking bike] when said additional payment has been received by said payment receiving means, this passage represents the fact that payment can be made after the bike has been locked and that a session for payment is actually set up for the amount corresponding to releasing the vehicle since additional payment is necessary to release an unlocked bike);

e) at the server, receiving the identifier entered at said parking terminal and in response delivering the associated release code to the terminal, (col 6, lines 20-26, said control unit thereby validating the originally generated secret unlocking code );

f) at the terminal, receiving the release code delivered from the server to supply it to the user , allowing them to release said externally applied immobilizing device, col 6, lines 20-26, (secret unlocking code which may be utilized once [for person to unlock bike, in this case, it is inherent that this code is supplied to the user if the code may be utilized once for unlocking the bike, which is a function to be carried out by the bike user);

Anderson et al does not specifically disclose the following, however, does disclose a control unit representing the server as described above, however, Keech discloses that an ID # or code is entered and is correlated with a central computer with an appropriate hash code and if there is a match, the electronic lock is unlocked. It is therefore obvious to combine the teachings of Anderson et al and Keech to provide a server having a database connected to the parking terminal and containing a list of pairs of data items each formed of an identifier assigned to an externally applied immobilizing device and an associated release code.

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to provide a server having a database connected to the parking terminal and containing a list of pairs of data items each formed of an identifier assigned to an externally applied immobilizing device and an associated release code with the motivation of releasing a locked vehicle upon appropriate verification.

As per claim 2, Anderson et al discloses:

- a parking terminal having payment means, (fig 1, shows parking system for parking bikes with coin slots 9, 10 and 11); and

- in that in the event of a release request from a user, the parking terminal is adapted to set up a session for payment of the amount corresponding to releasing the vehicle immobilizing device by means of said payment means and to communicate to the server the identifier, entered by the user, of the immobilizing device to be released after validation of the payment session, while the server is adapted to receive the identifier entered at said parking terminal and to deliver in response thereto the associated release code to the terminal, in order to allow the user to release the externally applied immobilizing device concerned, (col. 3, lines 48-63, introduction of coins are utilized for controlling the initiation of the purchase of time [parking time] and col 6, lines 20-26, the display indicates the additional payment required once the initial parking period has been exceeded, said control unit thereby validating the originally generated secret unlocking code which may be utilized once [for unlocking bike] when said additional payment has been received by said payment receiving means, this passage represents the fact that payment can be made after the bike has been locked and that a session for

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payment is actually set up for the amount corresponding to releasing the vehicle since additional payment is necessary to release an unlocked bike);

Anderson et al does not specifically disclose the following, however, does disclose a control unit representing the server as described above, however, Keech discloses that an ID # or code is entered and is correlated with a central computer with an appropriate hash code and if there is a match, the electronic lock is unlocked. It is therefore obvious to combine the teachings of Anderson et al and Keech to provide a server having a database connected to the parking terminal and containing a list of pairs of data items each formed of an identifier assigned to an immobilizing device and an associated release code.

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to provide a server having a database connected to the parking terminal and containing a list of pairs of data items each formed of an identifier assigned to an immobilizing device and an associated release code with the motivation of having means to process the release of a locked vehicle upon appropriate verification.

As per claim 3, Anderson et al discloses:

further comprising payment means adapted to process payment means from the group comprising coins, a bank card, an electronic wallet, a mobile telephone, (fig 1, shows

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coin slots 9, 10 and 11).

As per claim 4, Anderson et al does not specifically disclose the following, however Anderson et al does disclose a receipt containing the secret unlock code in which the user enters for unlocking the bike as shown in col. 4, lines 7-28.

However, Keech discloses that keypads are incorporated into the system for allowing communication with the central computer in [0031]. It is therefore obvious to combine the teachings of Anderson et al and Keech to disclose entering an identifier from the group comprising a keypad and/or a screen, a bar code reader, a ticket reader of the contact or contactless type, a transceiver adapted to set up a call to a mobile telephone. It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to enter an identifier from the group comprising a keypad and/or a screen, a bar code reader, a ticket reader of the contact or contactless type, a transceiver adapted to set up a call to a mobile telephone with the motivation of providing means to the user for communicating with the system.

As per claim 5, Anderson et al discloses:  
further comprising a means adapted to deliver the release code on a printed receipt or stored on a ticket of the contact or contactless type that the immobilizing device concerned is able to read, (col. 4, lines 7-28, receipt containing code).



***Response to Arguments***

4. Applicant's arguments with respect to claims 1-5 have been considered but are moot in view of the new ground(s) of rejection.

***Conclusion***

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Akiba K Robinson-Boyce whose telephone number is 571-272-6734. The examiner can normally be reached on Monday-Friday 9am-5:30pm.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Hayes can be reached on 571-272-6708. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

- Patent Application Information Retrieval (PAIR) system, Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

A. R. B.  
March 9, 2009

/Akiba K Robinson-Boyce/  
Primary Examiner, Art Unit 3628